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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04/25/2007</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>09/2003,03/2007,04/2007</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   Claim 5 is objected to because of the following informalities: the claimed "prior to initiating the performing step" lacks proper antecedent basis, it appears that the claimed "performing step" is referring to the entirely of claim 1. Appropriate correction is required.

Claim 12 is objected to because of the following informalities: the claimed "prior to initiating the performing step" lacks proper antecedent basis, it appears that the claimed "performing step" is referring to the entirely of claim 9. Appropriate correction is required.

Claim 18 objected to because of the following informalities: the claimed "prior to initiating the performing step" lacks proper antecedent basis, it appears that the claimed "performing step" is referring to the entirely of claim 15. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 5, 7, 9, 10, 12, 15, 16, 18, and 21 rejected under 35 U.S.C. 102(b) as

being anticipated by Lapierre (USPN 6,075,550).

With respect to claim 1, Lapierre teaches the claimed "identifying text in the

subtitles in the multimedia program data to generate a set of text" by disclosing a closed

caption decoding device 300 that separates the closed caption portion of a video signal

and generates a text data signal (col.2, lines 47-50; col.3, lines 14-24 and Fig.1 & 2).

The claimed "analyzing the set of text to form an analysis; identifying a portion of the

multimedia program data that should be altered based on the analysis to form an

identified portion; and altering the identified portion" is met by the disclosure of a

censoring device 400 that performs an analysis on the text data signal, identifies an

objectionable word, and alters the text or the audio accordingly (col.2, lines 50-54; col.3,

lines 33-42; col.5, lines 33-56 and Fig.1 & 2).

With respect to claim 3, the claimed "portion of the multimedia program data

includes a video component and an audio component and wherein the identified portion

is altered by blanking at least one of the video portion and the audio portion" is met by

the censoring device 400 of Lapierre that serves to turn off the audio signal for a fixed

amount of time (see Figs.1 & 2, and col.2, lines 47-50).

With respect to claim 5, the claimed "decoding the multimedia program data prior

to initiating performing step" is met by the closed caption decoding device 300 that

separates a video signal into a video and a closed caption component (Fig. 1&2; col.2,

lines 47-50 and col.3, lines 14-25). The claimed "re-encoding the multimedia program

data after altering the identified portion" is met by the close caption encoder 500 that

combining he video signal and the altered closed caption component (Fig.1 and col.2, lines 58-62).

With respect to claim 7, the claimed "multimedia program is a movie" is met by Lapierre that teaches the use of his invention for broadcast, cable, and videocassette programming (col.1, lines 9-12). Even though the Lapierre reference does not explicitly disclose a movie, the Examiner takes Official Notice that it is well know in the art that movies are regularly found on broadcast, cable, and videocassette programming.

With respect to claim 9, the claimed "identifying means identifying text in the subtitles in the multimedia program data to generate a set of text; analyzing means for analyzing the set of text to form an analysis; identifying means for identifying a portion of the multimedia program data that should be altered based on the analysis to form an identified portion; and altering means for altering the identified portion" are met by Lapierre as discussed above in claim 1.

With respect to claim 10, the claimed "portion of the multimedia program data includes a video component and an audio component and wherein the identified portion is altered by blanking at least one of the video portion and the audio portion" is met by Lapierre as discussed above in claim 3.

With respect to claim 12, the claimed "decoding means for decoding the multimedia program data prior to initiating the performing step; and re-encoding means for re-encoding the multimedia program data after altering the identified portion" is met by Lapierre as discussed above in claim 5.

With respect to claim 15, the claimed "first instructions for identifying text in the subtitles in the multimedia program data to generate a set of text; second instructions for analyzing the set of text to form an analysis; third instructions for identifying a portion of the multimedia program data that should be altered based on the analysis to form an identified portion; and fourth instructions for altering the identified portion" is met by Lapierre as discussed above in claim 1.

With respect to claim 16, the claimed "portion of the multimedia program data includes a video component and an audio component and wherein the identified portion is altered by blanking at least one of the video portion and the audio portion" is met by Lapierre as discussed above in claim in 3.

With respect to claim 18, the claimed "fifth instructions for decoding the multimedia program data prior to initiating the performing step; and sixth instructions for re-encoding the multimedia program data after altering the identified portion" is met by Lapierre as discussed above in claim 5.

With respect to claim 21, the claimed "a bus system; a communication unit connected to the bus system; a memory connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system" is met in part by the Tuner 100 and the Censor 400 of Lapierre (Fig 1 & 2). Even though a memory containing a set of instructions is not explicitly shown, it is inherent to the Lapierre reference since the Censor needs to have a memory unit to store objectionable words. The claimed "processing unit executes the set of instructions to identify text in the subtitles in the multimedia program data to generate a set of text;

analyze the set of text to form an analysis; identify a portion of the multimedia program

data that should be altered based on the analysis to form an identified portion; and alter

the identified portion" is met by Lapierre as discussed above in claim 1.

4. Claims 8, 14, 20, 22 are rejected under 35 U.S.C. 102(a) as being anticipated by

Safadi et al (US PN 7,050,109 B2).

With respect to claims 8, the claimed "decoding the multimedia program to form

decoded multimedia program data; analyzing a portion of the multimedia data;

determining whether readability of a subtitle in the portion of the multimedia program

data needs improvement; and responsive to the readability of the subtitle in the portion

of the multimedia program data needing improvement, performing color correction on

part of the multimedia program data containing the subtitle to improve readability of the

subtitle" is met by processor 20 that extracts the closed caption portion of a television

signal 10, analyzes it according to user selected attributes 12 and determines whether

to change one or more of its attributes such as font size, font type, font color,

background color, etc. by the use of a closed caption driver 30 (fig.2, col.2, lines 46-53

and col.4, lines 18-23).

With respect to claims 14 and 20, the claims are met by Safadi as discussed

above for claim 8.

With respect to claim 22, the claimed "a bus system, a communication unit

connected to the bus system, a memory connected to the bus system, wherein the

memory includes a set of instructions" is met by tuner the television signal 10, the tuner

60, and the memory 90 disclosed by Safadi et al (Fig 2 & 3; col.3, lines 46-50 and col.5,

lines 23-26). The claimed "processing unit connected to the bus system, wherein the

processing unit executes a set of instructions to decode the multimedia program data to

form decoded multimedia program data; analyze a portion of the multimedia program

data; determine whether readability of a subtitle in the portion of the multimedia program

data needs improvement; and perform color correction on the part of the multimedia

program data containing the subtitle to improve readability of the subtitle in response to

the readability of the subtitle in the portion of the multimedia program data needing

improvement " is met by Safadi as discussed above for claim 8.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lapierre**

(USPN 6,075,550), in view of Devara et al. (Pub# US 2002/0078452 A1).

With respect to claim 2, Lapierre teaches a system of identifying text in subtitles,

analyzing this text, selecting, and altering a corresponding portion of video and/or audio.

However, Lapierre does not specifically disclose that the text is identified by performing

optical character recognition (OCR) on the subtitles. The Devara reference teaches that

a program can be classified according to the identification of cues in the transcript

information provided with the program and that text can be generated from the transcript

information via OCR (see the Abstract and par.0019). It would have been obvious to

one of ordinary skill in the ark to have combined the Lapierre reference as described

above with the additional teachings of the Devara et al reference since both of them

teach the use of subtitles in the identification of specific program criteria. One of

ordinary skill in the art would have been led to make such a combination for the

advantages given above.

7. **Claims 4, 6, 11, 13, 17 and 19** are rejected under 35 U.S.C. 103(a) as being

   unpatentable over **Lapierre (USPN 6,075,550)**, in view of **Li et al (US PUB**

   2003/0107592 A1).

   With respect to claim 4, the claimed "performing baysean filtering on a set of text"

is not explicitly taught by the Lapierre reference. The Lapierre reference teaches a

system of identifying text in subtitles, analyzing this text, selecting, and altering a

corresponding portion of video and/or audio. However, Lapierre does not specifically

disclose that the text is analyzed by performing Bayesian filtering on it. The Li et al

reference teaches the use of video, audio and transcript information to detect specific

people in a multimedia program (see Abstract and par.0008). Furthermore, the Li et al

teaches the analysis of these components by the use of processor 27 implementing

Bayesian software (par.0038). Therefore, it would have been obvious to an person of

ordinary skill in the art at the time the invention to have combined the Lapierre reference

as described above with the teachings of the Li et al reference in order to allow for

additional subtitle analysis options.

With respect to claim 6, the claimed "portion of the multimedia program data is a

frame or a group of frames" is not explicitly taught by the Lapierre reference. However,

the Li et al reference teaches a processor 27 that performs analysis on a video signal by

analyzing the video, audio, and/or transcript data on a group of frames (par. 0043-

0046).

With respect to claim 11, the claimed "performing means for performing baysean

filtering on the set of text" is met by Li et al as discussed above in claim 4.

With respect to claim 13, the claimed "portion of the multimedia program data is a

frame or a group of frames" is met by Li et al as discussed above in claim 6.

With respect to claim 17, the claimed "sub instructions for performing baysean

filtering on the set of text" is met by Li et al as discussed above in claim 4.

With respect to claim 19, the claimed "portion of the multimedia program data is a

frame or a group of frames" is met by Li et al as discussed above in claim 6.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
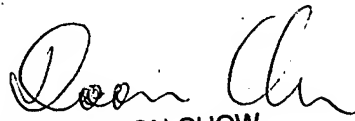
　　Bray (6,166,780) discloses method and apparatus for analyzing the closed captioned aspect of a video signal and modifying it without affecting the video portion.

　　Ford (6,181,364 B1) discloses a system for filtering out video content by blocking audio or video signal for a specific time period via a substitution event code imbedded within the video signal.

　　Robson et al. (Pub# US 2004/0006767) discloses a system, method, and computer program for selectively filtering objectionable content from a program via an encoding/decoding process of the audio and/or video signal.

　　Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jorge Mendoza Jr**. whose telephone number is (571) 270-5087. The examiner can normally be reached on Monday through Friday 7:30 am – 4:00 pm.

　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Dennis Chow** can be reached at (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

DENNIS DOON CHOW
SUPERVISORY PATENT EXAMINER